

Slovakia

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Freedom of the Press

Press freedom in Slovakia is constitutionally guaranteed and generally respected, and independent media outlets freely disseminate diverse views. However, defamation is a criminal offense, and incitement to hatred and other types of expression—such as Holocaust denial—are subject to criminal prosecution. Civil defamation suits brought by members of the judiciary and political and business elites, many of which claim exorbitant damages, remain a concern. Although Prime Minister Robert Fico—who was notorious for bringing libel suits during his previous government—promised a truce with journalists in 2012, he sued the publishing house Spoločnosť 7 Plus in September 2013. Fico argued that the company's tabloid, *Plus Jeden Deň*, damaged his reputation when it published a photograph of him embracing his secretary. Earlier, in March, he dropped a suit that he had been pursuing since 2009 against political cartoonist Martin Šútovec (known as Shooty). In January, the public prosecutor halted criminal proceedings against documentary filmmaker Zuzana Piussi and journalist Zuzana Petková for alleged privacy violations in a film that was critical of the judiciary.

Fico and controversial Supreme Court chairman Štefan Harabin have each collected hundreds of thousands of dollars from successful libel lawsuits over the past several years. Other members of the judiciary have also proven to be litigious. In the so-called Bonanno case, eight current and former judges sued the publishers of the tabloid *Nový Čas* in March 2013, demanding a total of €940,000 (\$1.23 million) in damages for an article published in 2011. The photos in the article showed the judges at a party at Penzion Bonanno, wearing blue ear protectors and sporting mock assault rifles; the party took place a few months after seven people, among them Roma, had been murdered by a gunman wearing blue ear protectors. Exorbitant fines were also sought against the most popular daily, *SME*, in a case launched by Judge Michal Truban for an article written about his hunting trip. Following a ruling in March, *SME* had to publish an apology on its front page three days in a row. In a separate case in July, the Slovak Bar Association sued the cartoonist Shooty for depicting them as pigs. In May and June, both the U.S. mission to the Organization for Security and Cooperation in Europe (OSCE) and the OSCE media freedom representative, Dunja Mijatović, condemned the suits and the extent of the damages sought. They emphasized that public officials “need to endure a higher threshold of criticism” and added that such legal cases erode public trust in the judiciary.

The 2000 Act on Free Access to Information allows anyone to request information from state agencies and receive an answer within 10 days, with noncompliant officials potentially subject to fines. In October 2012, the government amended the act with the aim of bringing it into line with European Union (EU) regulations. The government announced a planned revision of the legislation at the end of 2013, after Fico stated in May that the act is being “misused by students and private interests.” However, a survey conducted in 2013 countered the notion that municipalities are overburdened by freedom of information requests; it showed that more than 30 percent of municipalities did not receive any requests in the period of 2010–2013, while 75 percent of those that did received a maximum of six requests. The survey also found that requests are generally used in line with their purpose. The government separately proposed blocking access to public contracts issued before 2011, but the initiative was withdrawn in November 2013 after significant opposition by civil society.

Broadcast media are regulated by the Council for Broadcasting and Retransmission (RVR), whose nine members are elected by the parliament. In a move that was criticized by press freedom organizations, the

government in late 2013 proposed a budget that would cut state funding for RVR while doubling the amount it was expected to collect in fees and fines. For the regulation of print media, the Slovak Syndicate of Journalists and the Periodical Publishers Association of Slovakia established the Press Council in 2001. However, the number of complaints handled by the council has been very low in recent years.

Journalists occasionally experience both legal and extralegal pressure regarding protection of sources. In late 2011, two Slovak dailies revealed that the military counterintelligence service had installed wiretaps on several telephones belonging to journalists. During the investigation of the case in 2013, a journalist from *Hospodárske Noviny* was interrogated and threatened by the police. Another scandal that came to light at the end of 2011, nicknamed “Gorilla,” centered on several leaked files that documented corrupt behavior by associates of the country’s largest private equity firm, Penta, and senior politicians during former prime minister Mikuláš Dzurinda’s second term (2002–06). In early 2012, Jaroslav Haščák, co-owner of Penta, unsuccessfully sought court injunctions against several websites that published the files, and against a book about the scandal written by the Canadian-Slovakian investigative journalist Tom Nicholson. A Bratislava court overturned the injunction against Nicholson’s book in June 2012, and stores began stocking it shortly thereafter. Haščák appealed the decision to the Supreme Court in August but withdrew his appeal in January 2013. Separately in September, police pressured Nicholson to reveal his sources in a case linking an adviser to Interior Minister Robert Kaliňák with the head of a criminal organization. Although the 2008 Press Act affords protections to journalists and their sources, police argued that the legislation, which defines journalists as individuals who are employed by or have a contract with a media outlet, did not apply to Nicholson. Physical attacks on journalists are rare, and none were reported in 2013.

Most Slovak media outlets, including all major print outlets, are privately owned. Private as well as public outlets have faced increasing financial pressure in recent years. License fees were reinstated in January 2013 to ensure the independence and financial stability of the public broadcaster, Radio and Television of Slovakia (RTVS); the government also reintroduced state contracts as a form of income for RTVS.

Lack of transparency in media ownership remains a concern, as does the inadequate enforcement of regulations on the cross-ownership of outlets. Print media ownership is concentrated in three major houses: Ringier Axel Springer, based in Switzerland, and Spoločnosť 7 Plus and Petit Press, both based in Bratislava. Slovakia’s leading financial group, J&T, owns the country’s second-largest daily, *Pravda*, as well as the second-largest television network, TV Joj. Both outlets receive substantial advertising from companies linked to J&T. The main operators in the radio market are Rádio Expres, which is privately owned, and the public Slovak Radio. Even though television remains the main source of information in the country, Slovaks enjoy growing access to the internet, which the government does not restrict; approximately 78 percent of the population used the medium in 2013.

2014 Scores

Press Status

Free

Press Freedom Score

(0 = best, 100 = worst)

23

Legal Environment

(0 = best, 30 = worst)

7

Political Environment

(0 = best, 40 = worst)

9

Economic Environment

(0 = best, 30 = worst)

7